

LAW OFFICE OF GREGORY JAVARDIAN, LLC

By Mary F. Kennedy, Esquire

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Attorney for Citizens Bank, N.A. f/k/a RBS Citizens, N.A.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

Judy Ann Vicenty

Debtor(s)

Chapter 13 Proceeding

16-17769 SR

**STIPULATION BY AND BETWEEN JUDY ANN VICENTY AND CITIZENS
BANK, N.A. F/K/A RBS CITIZENS, N.A.**

WHEREAS, the parties hereto, and their respective counsel, have agreed as to the disposition of the Motion for Relief from the Automatic Stay filed by Mary F. Kennedy on behalf of mortgagee, Citizens Bank, N.A. f/k/a RBS Citizens, N.A. ("Movant").

NOW, THEREFORE, intending to be legally bound, the parties hereto, herewith stipulate as follows:

1. Movant is a mortgagee and holder of a perfected, secured claim against the Debtor pursuant to a Note and Mortgage on Debtor's real estate known as at 400 Tyson Avenue, Philadelphia, PA 19111.
2. Upon approval by the United States Bankruptcy Court of the within Stipulation, Debtor and secured creditor, Citizens Bank, N.A. f/k/a RBS Citizens, N.A., agree to the following:

- (a) Debtor(s) acknowledges that the current regular monthly post-petition mortgage payment is \$412.15 per month. The monthly payment is

subject to change in accordance with the terms of the Note and Mortgage.

(b) Debtor(s) acknowledge that debtor(s) is currently due for the following amounts post-petition:

1/2/2017 payment	\$412.15
2/2/2017 payment	\$412.15
3/2/2017 payment	\$412.15
4/2/2017 payment	\$412.15
5/2/2017 payment	\$412.15
6/2/2017 payment	\$412.15
7/2/2017 payment	\$412.15
Motion for Relief Attorney Fees & Costs	\$1,031.00
TOTAL	\$3,916.05

(c) Commencing with the August 2, 2017 payment the Debtor(s) shall resume and shall continue to make all regular monthly post petition mortgage payments when they are due in accordance with said Note and Mortgage.

(d) Within fifteen (15) days of the Court's approval of this Stipulation, Debtor(s) shall amend the Plan to provide for the payment of the post-petition arrears of \$3,916.05 to Movant through the Plan.

(e) Within fifteen (15) days of the Court's approval of this Stipulation Movant shall amend its Proof of Claim to add the \$3,916.05 in post-petition arrears to its arrears claim.

(f) All payments from Debtor(s) to Citizens Bank, N.A. f/k/a RBS Citizens, N.A. its successors and/or assigns shall be in the form of certified funds or Trustee checks if conduit payments.

- (g) The provisions of the Stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this Stipulation, including fees and costs, due under the terms of the mortgage and applicable law.
- (h) The Debtor(s) shall timely tender all payments and comply with all conditions in accordance with this Stipulation. If such payments or conditions are not timely made, Movant may provide the Debtor(s) and their counsel with ten (10) days written notice of default. If the default is not cured within the ten (10) day period, Movant may certify the default to this Court and an Order shall be entered granting Citizens Bank, N.A. f/k/a RBS Citizens, N.A. its successors and/or assigns relief from the automatic stay without further notice and hearing.
- (i) Should Citizens Bank, N.A. f/k/a RBS Citizens, N.A. its successors and/or assigns be granted relief from the stay after filing a Certification of Default in accordance with paragraph 2(h) above, the parties agree that the said relief order shall include the following language: "bankruptcy Rule 4001(a)(3) is not applicable and Movant is allowed to immediately proceed with foreclosure and all other relief available under the Non Bankruptcy law." Debtor(s) have the right to object to any certificate of default filed by Movant.


(j) The parties agree that a facsimile may be submitted to the Court as if it were an original.

STIPULATED AND AGREED TO BY:


Jonathan Krinick, Esquire
Attorney for Debtor, Judy Ann Vicenty

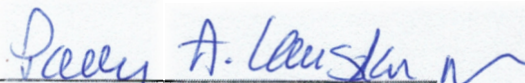
Date:

7/19/17


Mary F. Kennedy, Esquire
Attorney for Citizens Bank, N.A. f/k/a RBS Citizens, N.A.

Date:

7/20/17


Frederick L. Reigle, Esquire
Trustee

Date:

7/20/17

On this ____ day of _____, 2017, approved by the Court.

United States Bankruptcy Judge
Stephen Raslavich

cc: Mary F. Kennedy, Esquire
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